IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE EIGHTH DAY OF JULY
TWO THOUSAND AND FOUR

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PRESENT

-

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 19787 of 1994

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Between:

V.Ramanaiah, S/o. Munaiah.
R/o. Padmavathipuram, Tiruchanur Rural Mandal,
Chittoor.

..... PETITIONER

AND

-

1 The District Collector, Chittoor.
2 The Mandal Revenue Officer, Tirupathi (Rural) Mandal.
3 The Revenue Divisional Officer, Tirupathi.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ order or direction more in the nature of writ of Mandamus directing the respondents 1 to 3 not to interfere with the petitioners possession and enjoyment of petitioners lands in survey No. 234/3 an extent of Ac.4.98 cents in Thiruchananur Village, Chittoor District.

Counsel for the Petitioner: MR.G.RAMACHANDRA REDDY

Counsel for the Respondent No.: GP FOR REVENUE

The Court Made the Following ORDER:

Heard both sides.

The petitioner herein claiming to be in possession and enjoyment of the land to an extent of Ac.4.98 in S.No.234/3, situated in Thirchanur village, filed this writ petition inter alia seeking a direction to the respondents not to interfere with his possession and enjoyment of the land.

Learned counsel for the petitioner submits that initially the petitioner was granted Ryotwari patta by the Inam Deputy Tahsildar, Chandragiri, by proceedings dated 20-10-1982 under the A.P. Inam (Abolition and Conversion to Rytwari patta) Act, 1956. Since then the petitioner is in possession and enjoyment of the said land. However, the respondents for the first time are trying to interfere with the possession and enjoyment of the petitioner and directing for eviction on the ground that the said land is Government land.

No counter affidavit has been filed by the respondents.

Having considered the submissions made by the learned counsel for the petitioner and also on perusal of the record, it is evident that the petitioner is not only in possession of the land in question but also granted patta by the Inam Deputy Tahsildar, Chandragiri under the A.P. Inam (Abolition and Conversion to Rytwari patta) Act, 1956. As long as the petitioner holds valid patta, the question of interference with his possession does not arise.

Accordingly, the Writ Petition is allowed. No costs.

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B. Prakash Rao, J.

8th July, 2004

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ASSISTANT REGISTRAR

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SECTION OFFICER

To

1 The District Collector, Chittoor.
2 The Mandal Revenue Officer, Tirupathi (Rural) Mandal.
3 The Revenue Divisional Officer, Tirupathi.

4 Two CCs to G.P. for Revenue, High Court Buildings, High

Court of A.P., Hyderabad.(OUT)

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